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TO		Group Art Unit 3729	April 11, 2005
NAME		U.S.P.T.O.	DATE
COMPANY/FIRM			703-872-9306
NUMBER OF PAGES INCLUDING COVER: 8			FAX #
			CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FROM		Andrew T. Harry	220155US2PCT
NAME			OUR REFERENCE
703-412-3526			10/069,720
DIRECT PHONE #			YOUR REFERENCE

MESSAGE

Per our telephone conversation with Examiner Carl Arbes on September 24, 2004, enclosed herewith is a copy of the Restriction Response that was filed on August 12, 2004, as evidenced by the date-stamped filing receipt. Please note this is a re-send of the facsimile dated September 24, 2004.

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TO	Examiner Carl J. Arbes	September 24, 2004
	NAME	DATE
	U.S.P.T.O.	703-308-7058
	COMPANY/FIRM	FAX #
	NUMBER OF PAGES INCLUDING COVER: 7	CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Andrew T. Harry	220155US2PCT
	NAME	OUR REFERENCE
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MESSAGE

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M

Dept.: E/MOSMM&N File No. 220155US-2 PCTBy: GJM/ATH/deaSerial No. 10/069,720In the matter of the Application of: Shinichi OGIMOTOFor: APPARATUS AND METHOD FOR CARRYING SUBSTRATE**Due Date: 08/14/04**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Dep. Acct. Order Form
- ☐ Letter/Cover
- ☐ Response to Restriction Requirement



dea

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Docket No.: 220155US-2 PCT

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

RE: Application Serial No.: 10/069,720

Applicants: Shinichi OGIMOTO

Filing Date: February 28, 2002

For: APPARATUS AND METHOD FOR CARRYING
SUBSTRATE

Group Art Unit: 3729

Examiner: ARBES, CARL J.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.
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DOCKET NO: 220155US-2 PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

SHINICHI OGIMOTO :

EXAMINER: ARBES, CARL J

SERIAL NO: 10/069,720 :

FILED: FEBRUARY 28, 2002 :

GROUP ART UNIT: 3729

FOR: APPARATUS AND METHOD FOR :
CARRYING SUBSTRATERECEIVED
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APR 11 2005RESPONSE TO RESTRICTION REQUIREMENTCOMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the communication mailed July 14, 2004, and further in response to the Restriction Requirement contained therein, Applicant herein provisionally elects the invention of Group I, Claims 1-9 and 11¹ which were indicated as being "drawn to a substrate device" in requirement.

Applicant further respectfully traverses this Restriction Requirement for the reason that Groups I and II have not been treated relative to making a showing of a lack of "unity of invention" as required by M.P.E.P. § 1893.03(d) and 37 C.F.R. § 1.475 since this is a national stage application filed under 35 U.S.C. § 371.

In this regard, M.P.E.P. § 1893.03(d) establishes that the Examiner "must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique

¹ Claim 11 was not addressed in the Restriction Requirement, however as discussed below Claim 11 should be properly included in Group I.